

EXHIBIT N

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Attorneys for Defendants
MEDICIS AESTHETICS, INC., MEDICIS PHARMACEUTICAL CORP., VALEANT
PHARMACEUTICALS NORTH AMERICA LLC,
VALEANT PHARMACEUTICALS INTERNATIONAL,
VALEANT PHARMACEUTICALS INTERNATIONAL, INC., and GALDERMA
LABORATORIES, L.P.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALLERGAN USA, INC., and
ALLERGAN INDUSTRIE, SAS,

Plaintiffs,

v.

MEDICIS AESTHETICS, INC., MEDICIS
PHARMACEUTICAL CORP., VALEANT
PHARMACEUTICALS NORTH AMERICA LLC,
VALEANT PHARMACEUTICALS
INTERNATIONAL, VALEANT
PHARMACEUTICALS INTERNATIONAL, INC.,
and GALDERMA LABORATORIES, L.P.

Defendants.

Case No. 8:13-cv-01436 AG (JPRx)

**DEFENDANTS' FIRST SET OF
REQUESTS FOR ADMISSION TO
PLAINTIFFS ALLERGAN USA, INC.
AND ALLERGAN INDUSTRIE, SAS
(NUMBERS 1-11)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Central District of California, Defendants Medicis Aesthetics, Inc., Medicis Pharmaceutical Corp., Valeant Pharmaceuticals North America LLC, Valeant Pharmaceuticals International, Valeant Pharmaceuticals International, Inc., and Galderma Laboratories, L.P. ("Defendants") hereby request that Plaintiffs Allergan USA, Inc. and Allergan Industrie, SAS (collectively, "Allergan" or "Plaintiffs") respond to the Requests for Admission set forth herein. Defendants further request that Allergan serve a written response, under oath, within thirty (30) days after service of this request. Answers must be signed and verified by the person making them and objections signed by the attorney making them. If any objection is made to any part of any Request for Admission, Allergan shall specify the part of the Request for Admission to which an objection is made and respond to the remainder.

DEFINITIONS

1. "Plaintiffs," "Allergan," "You," or "Your" refer to Allergan USA, Inc. and Allergan Industrie, SAS, and all parents, subsidiaries, divisions, affiliates, officers, and agents thereof.
2. "Defendants" means Medicis Aesthetics, Inc., Medicis Pharmaceutical Corp., Valeant Pharmaceuticals North America LLC, Valeant Pharmaceuticals International, Valeant Pharmaceuticals International, Inc., and Galderma Laboratories, L.P., collectively.
3. "Person" or "Persons" means any individual or firm, association, organization, joint venture, trust, partnership, corporation, or other collective organization or entity.
4. "Infringe," "Infringing," and "Infringement" refer to direct infringement, contributory infringement, inducement of infringement, literal infringement, and/or infringement under the doctrine of equivalents.
5. "Referring to" and "Relating to" shall mean describing, evidencing, consisting of, pertaining to, reflecting or having any logical or factual connection with the matter discussed.
6. "Concerning" shall mean relating to, referring to, describing, evidencing, comprising or constituting.
7. The phrase "'475 patent" means and refers to United States Patent No. 8,450,475.

1 8. The phrase “795 patent” means and refers to United States Patent No. 8,357,795.

2 9. The phrase “Patents-in-Suit” means and refers to the ‘475 and ‘795 patent.

3 10. The phrase “HA” means and refers to hyaluronic acid.

4 11. “Accused Product” means any product or method that You accuse of infringement
5 in this litigation.

6 12. “Prior Art” shall be construed in accordance with the meaning given that term in
7 Title 35, United States Code, and interpretations thereof provided by the federal judiciary.

8 13. “Patent” includes all U.S. Patents and all foreign protection for intellectual property
9 rights whether called a “Patent” or not.

10 **INSTRUCTIONS**

11 1. If You find the meaning of any term in the Requests for Admission to be unclear,
12 then you should assume a reasonable meaning, state what the assumed meaning is, and answer
13 the Request on the basis of that assumed meaning.

14 2. Any denial of a Request must fairly meet the substance of the Request.

15 3. If You deny any of the Requests, or any part thereof, set forth specifically the
16 matters that are being denied and all grounds and reasons for the denial of each such Request, and
17 produce all documents that support Your denial or denials.

18 4. Each Request must be answered separately.

19 5. If written objections to a Request, or any part thereof, are made by You, the
20 remainder of the Request shall be answered.

21 6. If good faith requires that You deny only a part, or requires a qualification, of a
22 matter that is the subject of a Request, You shall admit so much of the Request as is true and deny
23 only the remainder.

24 7. These requests shall be deemed to seek answers as of the date of service thereof
25 and to the full extent of the Federal Rules of Civil Procedure. These Requests for Admission are
26 of a continuing nature and You are required to provide supplemental responses promptly if You
27 obtain further or different information after the date of Your initial response.

1 **REQUEST FOR ADMISSION NO. 5:**

2 Admit that physicians added lidocaine to Restylane® immediately before use prior to 2005.

3 **REQUEST FOR ADMISSION NO. 6:**

4 Admit that physicians added lidocaine to Juvederm® products immediately before use prior
5 to 2005.

6 **REQUEST FOR ADMISSION NO. 7:**

7 Admit that a physician adding lidocaine to Perlane® immediately before use would not
8 infringe the Patents-in-Suit.

9 **REQUEST FOR ADMISSION NO. 8:**

10 Admit that a physician adding lidocaine to Restylane® immediately before use would not
11 infringe the Patents-in-Suit.

12 **REQUEST FOR ADMISSION NO. 9:**

13 Admit that a physician adding lidocaine to Perlane® immediately before use would be an
14 acceptable non-infringing alternative to Perlane-L®.

15 **REQUEST FOR ADMISSION NO. 10:**

16 Admit that a physician adding lidocaine to Restylane® immediately before use would be an
17 acceptable non-infringing alternative to Restylane-L®.

18 **REQUEST FOR ADMISSION NO. 11:**

19 Admit that a physician adding lidocaine to Restylane® or Perlane® immediately before use
20 would not be practicing one or more of the claims in the Patents-in-Suit.

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26 Dated: January 13, 2015

Respectfully submitted,

27 By: /s/ William F. Cavanaugh, Jr.
28 William F. Cavanaugh, Jr.

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DEFENDANTS' FIRST SET OF REQUESTS FOR
ADMISSION TO PLAINTIFFS

Case No. 8:13-cv-01436-AG(JPR)

Exhibit N

Attorneys for Defendants
MEDICIS AESTHETICS, INC.,
MEDICIS PHARMACEUTICAL CORP.,
VALEANT PHARMACEUTICALS NORTH
AMERICA LLC,
VALEANT PHARMACEUTICALS
INTERNATIONAL,
VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., and GALDERMA
LABORATORIES, L.P.

PROOF OF SERVICE

I am employed in the County of New York, my business address is Patterson Belknap Webb & Tyler LLP, 1133 Avenue of the Americas, New York, New York 10036. I am over the age of 18 and not a party to the foregoing action.

On January 13, 2015, I caused a copy of the following document(s):

DEFENDANTS' FIRST SET OF REQUESTS FOR ADMISSION TO ALLERGAN USA, INC. AND ALLERGAN INDUSTRIE, SAS (NOS. 1-11)

to be served on the interested parties in this action by ELECTRONIC MAIL, via the email addresses set forth below:

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I declare under penalty of perjury that the above is true and correct. Executed on January 13, 2015, at New York, NY.

/s/ William F. Schmedlin
William F. Schmedlin